REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the

following discussion is respectfully requested.

Claims 1-6, 10-15, 19-22, and 24-30 are presently pending in this case. Claims 1, 10,

19, and 24 are amended by the present amendment. As amended Claims 1, 10, 19, and 24 are

supported at least by the original specification at Figure 17 and paragraphs 375-379 of the

publication of the specification, no new matter is added.

In the outstanding Official Action, Claims 1-6, 10-15, 19-22, and 24-30 were rejected

under 35 U.S.C. §103(a) as unpatentable over Yuji (Japanese Patent Publication No. 2003-

173278) in view of Eide et al. (U.S. Patent No. 6,243,774, hereinafter "Eide").

The outstanding rejection is respectfully traversed.

Amended Claim 1 recites in part:

> control means for setting deletion-target priority of said
> data based on said attribution, *said control means determining*
> *if a source of said data is a radio broadcast based on said*
> *attribution*;
> determination means for determining whether or not the
> storage of said data is to be performed based on the attribution
> of said data detected by said data attribution detection means;
> data deletion means for *deleting data having an oldest*
> *storage date from among all data having a source which is*
> *not a radio broadcast* if said determination means determines
> that the storage of said data is to be performed and a storage
> medium for storing said data runs out of space, and said data
> deletion means deleting data having an oldest storage date and
> a source which is a radio broadcast if said determination means
> determines that the storage of said data is to be performed, a
> storage medium for storing said data runs out of space, and all
> stored data has a source which is a radio broadcast; and
> data storage means for storing said storing-target data in
> said storage medium after said data deletion means deletes the
> data having the oldest storage date from among all the data
> having a source which is not a radio broadcast.

The outstanding Office Action conceded that Yuji does not describe "control means" as previously recited in Claim 1, and cited Eide this as describing this subject matter.[1] Eide describes a computer 300 including a main storage 304. Main storage 304 contains both "swappable" and "non-swappable" information. However, Eide does not determine if any information comes from a radio broadcast. Thus, Eide cannot describe any means for determining if a source of data is a radio broadcast based on attribution. Moreover, Eide cannot describe any means for deleting data based on whether or not a source of the data is a radio broadcast. Therefore, it is respectfully submitted that the proposed combination does not teach or suggest "control means," "data deletion means," and "data storage means" as defined in amended Claim 1. Consequently, Claim 1 (and Claims 2-6 dependent therefrom) is patentable over Yuji in view of Eide.

Claims 10 and 19 recite in part:

> copying data from an external storage medium;
> detecting attribution of storing-target data;
> setting deletion-target priority of said data based on said attribution, *said setting including determining if a source of said data is a radio broadcast based on said attribution*;
> determining whether or not the storage of said data is to be performed based on the attribution of said data detected by said detecting;
> *deleting data with an oldest storage date from among all data having a source which is not a radio broadcast* if said determining determines that the storage of said data is to be performed and a storage medium for storing said data runs out of space;
> *deleting data having an oldest storage date and a source which is a radio broadcast* if said determining determines that the storage of said data is to be performed, a storage medium for storing said data runs out of space, and all stored data has a source which is a radio broadcast; and
> storing said storing-target data in said storage medium *after said deleting deletes the data having the oldest storage date from among all the data having a source which is not a radio broadcast.*

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[1] See the outstanding Office Action at pages 4-5.

11

As noted above, Eide does not determine if any information comes from a radio

broadcast. Accordingly, Eide cannot describe deleting data based on whether or not a source

of the data is a radio broadcast. Therefore, it is respectfully submitted that the proposed

combination can not teach or suggest "setting deletion-target priority," "deleting data," and

"storing" as defined in amended Claims 10 and 19. Consequently, amended Claims 10 and

19 (and Claims 11-15 and 20-22 dependent therefrom) are also patentable over Yuji in view

of Eide.

Finally, amended Claim 24 recites in part:

> a copying unit configured to copy data from an external
> storage medium;
> a data attribution detection unit configured to detect
> attribution of storing-target data;
> a control unit configured to set deletion-target priority
> of said data based on said attribution, *said control unit
> configured to determine if a source of said data is a radio
> broadcast based on said attribution*;
> a determination unit configured to determine whether or
> not the storage of said data is to be performed based on the
> attribution of said data detected by said data attribution
> detection unit;
> *a data deletion unit configured to delete data having
> an oldest storage date from among all the data having a
> source which is not a radio broadcast* if said determination
> unit determines that the storage of said data is to be performed
> and a storage medium for storing said data runs out of space,
> and said data deletion unit configured to delete data having an
> oldest storage date and a source which is a radio broadcast if
> said determination unit determines that the storage of said data
> is to be performed, a storage medium for storing said data runs
> out of space, and all stored data has a source which is a radio
> broadcast; and
> a data storage unit configured to store said storing-
> target data in said storage medium *after said data deletion unit
> deletes the data having the oldest storage date from among all
> the data having a source which is not a radio broadcast.*

As noted above, does not determine if any information comes from a radio broadcast.

Thus, Eide cannot describe any device configured to determine if a source of said data is a

radio broadcast based on attribution. Accordingly, Eide cannot describe any device

12

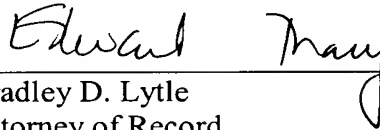configured to delete data based on whether or not a source of the data is a radio broadcast.

Thus, it is respectfully submitted that <u>Eide</u> does not teach or suggest "a control unit," "a data

deletion unit," and "a data storage unit" as defined in amended Claim 24. Consequently,

amended Claim 24 (and Claims 25-30 dependent therefrom) is patentable over <u>Yuji</u> in view

of <u>Eide</u>.

    Accordingly, the pending claims are believed to be in condition for formal allowance.

An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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